

**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

Provision of Directory Listing)	
Information under the Communications)	
Act of 1934, as Amended)	CC Docket No. 99-273

REPLY COMMENTS OF AT&T INC.

AT&T Inc. (“AT&T”),¹ on behalf of its affiliates, files these reply comments in support of the comments filed by Bellsouth, Qwest and Verizon in the foregoing docket.

AT&T fully agrees with commenters that InfoNXX’s request for clarification of the LECs’ directory assistance (“DA”) nondiscriminatory access obligations is wholly unnecessary.² As the record reflects,³ the Commission has, on multiple occasions, clearly and unequivocally concluded that the LECs’ obligation to permit nondiscriminatory access to directory assistance and directory listings does not extend to non-published numbers.⁴ The Commission did not create an exception for emergency contacts in the DA context; consequently, LECs are under no obligation to provide non-published numbers to InfoNXX. To the extent InfoNXX seeks reconsideration of this issue, AT&T agrees with commenters that given the time lapse here, InfoNXX’s request for reconsideration is out of time and must therefore be rejected.⁵

¹ SBC Communications Inc. (“SBC”), on behalf of its incumbent local exchange affiliates, previously filed comments in this proceeding. SBC recently acquired AT&T Corporation and changed its name to AT&T Inc. Accordingly, this Reply is filed by AT&T Inc., on behalf of its incumbent local exchange carrier affiliates.

² BellSouth Comments at 1; Qwest Comments at 1; and Verizon Comments at 1.

³ BellSouth Comments at 4-5.

⁴ See *Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, et al.*, CC Docket No. 96-98, et al., Second Report and Order and Memorandum Opinion and Order, 11 FCC Rcd 19458, 19460 (1996). AT&T agrees with Commenters that InfoNXX’s inclusion of unlisted numbers with non-published numbers is inappropriate. As they note, unlisted numbers, unlike non-published numbers, are provided through DA.

⁵ BellSouth Comments at 2.

In any event, as the record reflects, the major LECs do not provide non-published numbers to their DA operators, but only name and address information.⁶ AT&T likewise restricts its DA operators' access to non-published numbers, a fact of which InfoNXX is fully aware. Further, similar to BellSouth, AT&T assists end users in contacting AT&T customers for emergency purposes.⁷ Given the foregoing, AT&T agrees with Qwest that InfoNXX's request for clarification of the LECs' DA nondiscriminatory access obligations is merely a ruse.⁸ What InfoNXX really seeks is a rule change – one that far exceeds the scope of the Commission's DA policies and rules.

Specifically, InfoNXX asks – albeit not in the clearest manner – that the Commission *clarify* that LECs cannot use non-published numbers *for any reason* other than emergency contact services without prior Commission approval. The Commission neither adopted nor inferred such a restriction in its DA orders and InfoNXX has offered no supporting language to the contrary. Therefore, there is absolutely no basis for the clarification or reconsideration InfoNXX seeks. Nevertheless, putting the obvious procedural infirmities aside,⁹ as Qwest and Verizon correctly argue,¹⁰ a grant of InfoNXX's request would have far-reaching, adverse ramifications. LECs use non-published numbers for a host of legitimate reasons, including billing, marketing, and the provision of numerous retail offerings, such as Caller ID. The fact that a customer has requested non-publication of its number does not translate into *cease and desist any use of my number*. Rather the request only means that the customer does not want its number made available to any other party, carrier or otherwise. Had the Commission intended to

⁶ BellSouth Comments at 3-4; and Verizon Comments at 2.

⁷ AT&T's procedures are virtually identical to those set forth in BellSouth's Comments.

⁸ Qwest Comments at 4.

⁹ AT&T agrees with commenters that InfoNXX should have filed a Petition for Rulemaking for the relief it seeks.

Qwest Comments at 2; and Verizon Comments at 3.

restrict *all* uses of non-published numbers, it would have done so expressly. InfoNXX's proposed restriction would undoubtedly, as Verizon notes, preclude LECs from providing critical customer care to its non-published customers – an end result clearly contrary to the public interest.

Thus, for the foregoing reasons, AT&T supports the commenters request that the Commission deny InfoNXX's request.

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